

ASSEMBLY BILL

No. 765

Introduced by Assembly Member Salinas

February 18, 2005

An act to amend Section 14035.55 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 765, as introduced, Salinas. Rail feeder bus service.

Existing law authorizes the Department of Transportation to provide funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers for the intercity transportation of passengers over regular routes if, among other things, the motor carrier is not a public recipient of specified governmental assistance, except a local public motor carrier that proposes to serve passengers only within its service area is excluded from this requirement.

This bill would also exclude 2 connecting local public motor carriers that propose to serve passengers only within their service areas from the requirement.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14035.55 of the Government Code is
- 2 amended to read:
- 3 14035.55. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) Intercity passenger bus service provided by intercity bus
- 6 companies on a regular route basis is the only public mass

1 transportation service in the state to provide surface
2 transportation without public subsidy.

3 (2) The long-term maintenance of private sector intercity
4 passenger service is of vital importance to the state.

5 (3) Intercity bus companies serve over 250 communities
6 throughout California, providing a network of connection points
7 without equal by any other mode of public or private
8 transportation.

9 (b) To the extent permitted by federal law, the department
10 shall encourage Amtrak and motor carriers of passengers to do
11 both of the following:

12 (1) Combine or package their respective services and facilities
13 to the public as a means of improving services to the public.

14 (2) Coordinate schedules, routes, rates, reservations, and
15 ticketing to provide for enhanced intermodal surface
16 transportation.

17 (c) Except as authorized under subdivision (e), the department
18 may provide funding to Amtrak for the purpose of entering into a
19 contract with a motor carrier of passengers for the intercity
20 transportation of passengers by motor carrier over regular routes
21 only if all of the following conditions are met:

22 (1) The motor carrier is not a public recipient of governmental
23 assistance, as defined in Section 13902(b)(8)(A) of Title 49 of
24 the United States Code, other than a recipient of funds under
25 Section 5311(f) of that title and code. This paragraph does not
26 apply if a local public motor carrier ~~proposes~~ *or two connecting*
27 *local public motor carriers propose* to serve passengers only
28 ~~within its service area~~ *their service area or areas*.

29 (2) Service is provided only for passengers on trips where the
30 passengers have had prior movement by rail or will have
31 subsequent movement by rail, evidenced by a combination rail
32 and bus one-way or roundtrip ticket.

33 (3) Vehicles of the motor carrier, when used to transport
34 passengers pursuant to paragraph (2), are used exclusively for
35 that purpose.

36 (4) The motor carrier is registered with the United States
37 Department of Transportation (DOT) and operates in compliance
38 with the federal motor carrier safety regulations, and provides
39 service that is accessible to persons with disabilities in
40 compliance with applicable DOT regulations pertaining to

1 Amtrak services, in accordance with the federal Americans with
2 Disabilities Act of 1990 (Public Law 101-336).

3 (d) The department shall incorporate the conditions specified
4 in subdivision (c) into state-supported passenger rail feeder bus
5 service agreements between Amtrak and motor carriers of
6 passengers. The bus service agreements shall also provide that a
7 breach of those conditions shall be grounds for termination of the
8 agreements.

9 (e) Notwithstanding subdivisions (c) and (d), the department
10 may provide funding to Amtrak for the purpose of entering into a
11 contract with a motor carrier of passengers to transport Amtrak
12 passengers on buses operated on a route, if the buses are operated
13 by the motor carrier as part of a regularly scheduled, daily bus
14 service that has been operating consecutively without an Amtrak
15 contract for 12 months immediately prior to contracting with
16 Amtrak.

17 (f) For purposes of this section, the following terms have the
18 following meanings:

19 (1) "Amtrak" means the National Railroad Passenger
20 Corporation.

21 (2) "Department" means the Department of Transportation or
22 the department's successor with respect to providing funds to
23 subsidize Amtrak service.

24 (3) "Motor carrier of passengers" means a person or entity
25 providing motor vehicle transportation of passengers for
26 compensation.